

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

AUG 25 2008

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W. H. DEPUTY

H.L. CHUCK BAILEY,
Plaintiff,

VS.

No. CIV-07-1389-W

MICHAEL J. ASTRUE,
Commissioner of Social Security
Administration,

Defendant.

ORDER

On July 29, 2008, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this case and recommended that the decision of defendant Michael J. Astrue, Commissioner of the Social Security Administration (“Commissioner”), denying the Application for Disability Insurance Benefits filed by plaintiff H.L. Chuck Bailey be affirmed. Bailey was advised of his right to file written objections to the Report and Recommendation, but he did not file any objections within the time allotted.

Upon review of the record, the Court concurs with Magistrate Judge Argo's findings regarding Bailey's insured status and his suggested disposition of this matter. The Court agrees that the Commissioner based his decision on substantial evidence and that he applied the correct legal standards.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation issued on July 29, 2008;
- (2) AFFIRMS the Commissioner's decision to deny Bailey's Application for Disability Insurance Benefits; and

(3) ORDERS that judgment in favor of the Commissioner issue forthwith.

ENTERED this 25th day of August, 2008.



LEE R. WEST
UNITED STATES DISTRICT JUDGE